

Session 18-15, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Venuti at 6:30 p.m. on October 3, 2018 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BANKS, BENTZ, VENUTI, HIGHLAND, SMITH

ABSENT: COMMISSIONERS BOS, BERNARD (EXCUSED)

STAFF: DEPUTY CITY PLANNER ENGBRETSSEN
DEPUTY CITY CLERK KRAUSE

The commission met at 5:30 p.m. for a worksession prior to the regular meeting. On the agenda was Green Infrastructure (GI) which included discussion on a community scoping worksheet **“Tackling Barriers to Green Infrastructure”** and **auditing** community codes and ordinances.

APPROVAL OF THE AGENDA

Chair Venuti called for a motion to approve the agenda.

BENTZ/HIGHLAND – SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENT

RECONSIDERATION

ADOPTION OF CONSENT AGENDA

A. Approval of minutes of October 3, 2018

B. Approval of minutes of September 19, 2018

C. Decisions and Findings for Conditional Use permit (CUP) 18-09, for a medical clinic containing more than 8,000 square feet of building area at 267 Cityview Avenue (Meeting Laydown)

D. Decisions and Findings for Conditional Use Permit (CUP) 2018-11 Pratt Museum Phased Expansion

Chair Venuti requested a motion to approve the Consent Agenda.

BENTZ/HIGHLAND – SO MOVED.

Commissioner Highland inquired about the October 3, 2018 meeting minutes.

Deputy City Clerk Krause stated that Item A. Minutes for October 3, 2018 are not available due to busy election period and other priority duties.

Item C was pulled from the Consent Agenda and moved to New Business Item A by Commissioner Banks.

HIGHLAND/BENTZ - MOVED TO APPROVE THE CONSENT AGENDA AS AMENDED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS

REPORTS

A. Staff Report 18-63, **City Planner's Report**

Deputy City Planner Engebretsen noted that the City Planner provided a report in the packet and stated he will be out of the office for three weeks.

Deputy City Planner Engebretsen stated that she has been busy working on items for Parks Art Recreation and Culture Advisory Commission and the HERC Task Force.

Commissioner Bentz volunteered to speak at the Council meeting on Monday, October 22, 2018 since Commissioner Bos was not present today.

Commissioner Banks reported he did not attend the last Council meeting since the minutes were not available and he did not take notes on the meeting.

PUBLIC HEARINGS

A. Staff Report 18-68, CUP 18-12, for more than one building containing a permitted principal use on a lot at 3725 West Hill Road.

Deputy City Planner Engebretsen provided a summary of the report to the commission.

Brian Reid, applicant, stated he was present to answer any questions or concerns of the Commission.

Chair Venuti opened the public hearing and seeing no public present other than the applicant he closed the Public Hearing.

Commissioners commented or inquired about the following and the Applicant responded:

- Parking plan recommendations were acceptable
- Storm drainage and runoff catchment system
- Addressing runoff from steep slopes
 - o Commission recommendation to review the city's best practices document
- Foundations for the project
 - o steel piling and concrete
- Project timeline
 - o Will start this year, with the Garage/Shop planned for 2020 and the main residence in 2021
- Dirt work planned later this fall with plans to be disturbing minimal groundcover using the steel pylons for the foundation

BENTZ/SMITH MOVED TO ADOPT STAFF REPORT 18-68 AND APPROVE CUP 2018-12 WITH FINDINGS 1-11 AND CONDITIONS 1-3.

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. Staff Report 18-70, Ordinance 18-39 Amending HCC 21.18.040 to reduce the setback permitted from 20 feet to 10 feet in the Central Business District.

Deputy City Planner Engebretsen noted the one comment received and read the report included in the packet by the City Planner into the record.

Chair Venuti opened the public hearing, seeing no one in the audience coming forward he closed the Public Hearing.

Chair Venuti open the floor to questions by the commission.

There were no questions or comments.

HIGHLAND/SMITH MOVED THAT THE ADVISORY PLANNING COMMISSION DOES NOT SUPPORT ORDINANCE 18-39 AMENDING HCC 21.18.040 TO REDUCE THE SETBACK PERMITTED FROM 20 FEET TO 10 FEET IN THE CBD

A brief discussion on the basis for not approving the proposed ordinance was stated in the analysis provided by the City Planner and supported by the commission.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

A. Staff Report 18-69, Hillside Acres Subd. Tract 7 2018 Replat Preliminary Plat

Deputy City Planner Engebretsen reviewed the staff report for the commission.

There was no applicant present.

Chair Venuti opened the floor for public comment seeing no one present in the audience he closed the public comment period.

There was no comments or questions from the commission.

HIGHLAND/BENTZ MOVED TO ADOPT STAFF REPORT 18-69 AND APPROVE THE HILLSIDE ACRES SUBDIVISION TRACT 7 2018 REPLAT PRELIMINARY PLAT WITH COMMENTS 1 & 2

There was no discussion

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

NEW BUSINESS

A. Decisions and Findings for Conditional Use Permit (CUP) 18-09, for a medical clinic containing more than 8,000 square feet of building area at 267 Cityview Avenue (Meeting Laydown)

This item was pulled from the consent and moved to New Business Item A

Commissioner Banks wanted the pre-existing condition of a non-permitted parking lot listed since it was a concern expressed at the meeting by several members who testified and since the other concerns or points are noted he felt it would be appropriate.

A brief discussion ensued over inclusion of the concern and how it was relevant. It was noted that the parcel was not in compliance prior to **the applicant's** ownership, it was stated that he was in a partnership with the owner of the parcel but he was not a listed owner when the work was done.

The Commission was in consent to add the following to the Decisions and Findings:

- Parcel not in compliance at the time of CUP Application

Commissioner Banks brought forward the statement by Mr. Peek that the application was applied for under a Class B and noted that in his due diligence found that in accordance with the International Building Codes ambulatory care facility which includes surgery. He did not want to add or delete anything from the Decision and Findings.

Deputy City Planner Engebretsen cautioned the commission on the direction of the discussion since Mr. Peek is a stamped, licensed professional and has made this same statement in their office and it take a high level as to what was said on the record.

Commissioner Banks responded that the point was well taken and expressed that he wanted to do his due diligence since there was a lot of unfamiliar information presented to the commission.

Commissioner Smith expressed that he still questioned the potential to add litigation by including the point about the parcel not being in compliance prior to this CUP.

Deputy City Planner Engebretsen responded that it would not bring about additional liability and it can be included as evidence presented if the Commission desired.

There was a brief discussion on the issue of credibility.

Staff requested a motion for the amendment.

BANKS/HIGHLAND MOVED TO ADD BULLET POINT UNDER CONCERNS EXPRESSED DURING PUBLIC TESTIMONY THE LOT WAS NOT IN COMPLIANCE WHEN THE CONDITIONAL USE PERMIT WAS APPLICATION WAS SUBMITTED.

There was a brief discussion that the minutes were referenced where the City Planner noted that the violation would be addressed by the CUP application in response to a direct question on the status; it was clarified that the commission can make this amendment adding the rebuttal to balance.

VOTE. YES. SMITH, HIGHLAND, BENTZ, VENUTI, BANKS

Motion carried.

Commissioner Highland requested clarification on adding the rebuttal to the decisions and findings also.

Deputy City Planner Engebretsen responded that they should make a motion for the staff rebuttal.

BANKS/BENTZ MOVED TO AMEND THE DECISION AND FINDINGS PAGE 3 TO ADD STAFF REBUTTAL THAT THE CUP APPLICATION WILL CORRECT THE VIOLATION.

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

BENTZ/SMITH MOVED TO APPROVE THE DECISIONS AND FINDINGS FOR CUP 18-09 AS AMENDED

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried

INFORMATIONAL MATERIALS

A. City Manager's Report for the September 24, 2018 Homer City Council meeting

COMMENTS OF THE AUDIENCE

COMMENTS OF THE STAFF

City Planner Engebretsen thanked the Commission and commented it was a great meeting.

Deputy City Clerk Krause commented it was a great meeting, after the two previous meetings she was glad this was a short one and assured the Commission that the minutes will be completed for the next packet.

COMMENTS OF THE COMMISSION

Commissioner Highland said Thank you for dinner.

Commissioner Bentz said she thought the worksession worked really well in taking small bites of the information that they could work through in an hour. She also stated developing an approach for the Commission and the City to use to address Green Infrastructure is really valuable and will

encourage progress. She expressed her thanks to Staff for putting that together for them. Mrs. Bentz then complimented the Harbor and offered congratulations for receiving the award and recognition.

Commissioner Smith commented that he is really enjoying his time on the Commission so far and glad that he signed up. He appreciates the Commission for their experience and input. He regrets that he will not be at the next two meetings as he will be out of town.

Commissioner Banks thanked Julie for helping the commission work through that process and he was looking forward to what steps they take and also thought it was cool that they integrated that right in with asking the applicant tonight on what they might plan on doing with green infrastructure stuff. He further commented that he did not see anything wrong with that along with getting the applicants any information and things that may help them do this on a volunteer basis and maybe applicants will get excited about it and they will see more of it.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 7:20 p.m. The next regular meeting is scheduled for Wednesday, November 7, 2018 at 6:30 p.m. in the City Hall Cowles Council Chambers. There is a worksession scheduled at 5:30 p.m. prior to the meeting.

RENEE KRAUSE, CMC, DEPUTY CITY CLERK

Approved: _____